Officer History

Officer Name:	MCDONALD, JONATHAN			
Tax ID:	966178	**Sex:**	M	
Shield:	13239	**Race:**	White	
Rank:	PO	**Command:**	077	
Birth Year:	■	**Appt Date:**	07/02/2018	
Age:	■	**Tenure:**	3	

CCRB #	CMD	Incident Date	Reported Date	Allegation	Allegation Disposition	Board Discipline Recommendation*	NYPD Allegation Disposition	NYPD MOS Penalty
201906325	077	07/10/2019	07/12/2019	Abuse - Refusal to process civilian complaint	Substantiated (Formalized Training)		Instructions	Instruction
202104269	077	07/12/2021	07/20/2021	Force - Physical force				
202106755	077	10/26/2021	11/08/2021	Abuse - Seizure of property				
				Abuse - Vehicle search				
				Abuse - Refusal to provide name				
				Abuse - Refusal to provide shield number				

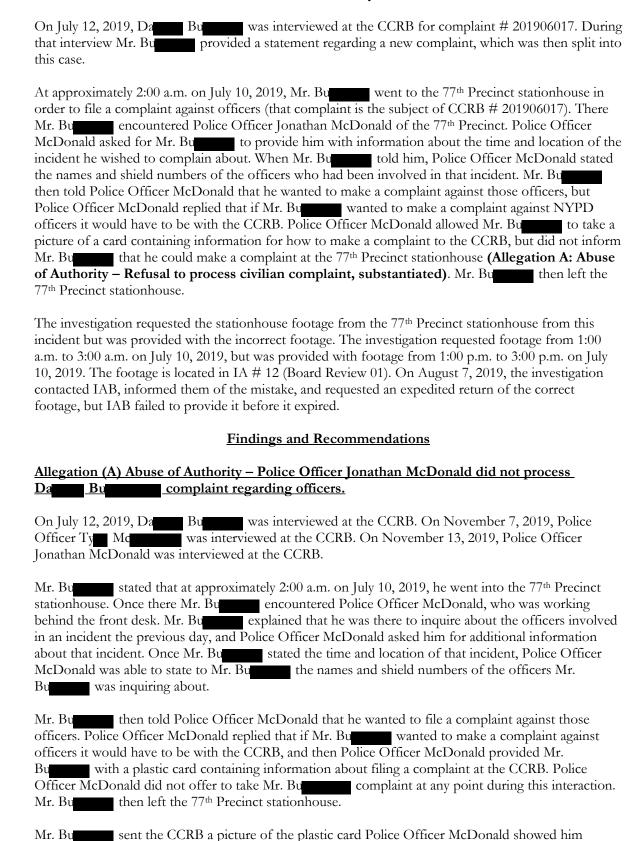**Total Charges = 6**   **Total Cases = 3**

*Board Discipline Recommendations were not issued for complaints closed prior to the CCRB's adoption of the NYPD's Disciplinary Matrix on 03/15/2021. With the adoption of the NYPD Disiciplinary Matrix, CCRB now issues a Board Discipline Recommendation for officers that is seperate and apart from the disposition of the allegations substantiated against the officer.

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Matthew Donaghy	Team: Squad #2	CCRB Case #: 201906325	☐ Force ☑ Abuse	☐ Discourt. ☐ O.L.	☐ U.S. ☐ Injury

Incident Date(s) Wed, 07/10/2019 1:58 AM	Location of Incident: 77th Precinct stationhouse		Precinct: 77	18 Mo. SOL 01/10/2021	EO SOL 8/27/2021
Date/Time CV Reported Fri, 07/12/2019 11:52 AM	CV Reported At: CCRB	How CV Reported: In-person	Date/Time Received at CCRB Fri, 07/12/2019 11:52 AM		

Complainant/Victim	Type	Home Address
1. Da███ Bu████	Comp/Victim	████████████████████

Subject Officer(s)	Shield	TaxID	Command
1. POM Jonathan McDonald	13239	966178	077 PCT

Officer(s)	Allegation	Investigator Recommendation
A . POM Jonathan McDonald	Abuse of Authority: Police Officer Jonathan McDonald did not process Da███ Bu████ complaint regarding officers.	A . Substantiated

<div align="center">**Case Summary**</div>

On July 12, 2019, Da███ Bu██████ was interviewed at the CCRB for complaint # 201906017. During that interview Mr. Bu█████ provided a statement regarding a new complaint, which was then split into this case.

At approximately 2:00 a.m. on July 10, 2019, Mr. Bu██████ went to the 77th Precinct stationhouse in order to file a complaint against officers (that complaint is the subject of CCRB # 201906017). There Mr. Bu█████ encountered Police Officer Jonathan McDonald of the 77th Precinct. Police Officer McDonald asked for Mr. Bu█████ to provide him with information about the time and location of the incident he wished to complain about. When Mr. Bu█████ told him, Police Officer McDonald stated the names and shield numbers of the officers who had been involved in that incident. Mr. Bu█████ then told Police Officer McDonald that he wanted to make a complaint against those officers, but Police Officer McDonald replied that if Mr. Bu█████ wanted to make a complaint against NYPD officers it would have to be with the CCRB. Police Officer McDonald allowed Mr. Bu█████ to take a picture of a card containing information for how to make a complaint to the CCRB, but did not inform Mr. Bu█████ that he could make a complaint at the 77th Precinct stationhouse **(Allegation A: Abuse of Authority – Refusal to process civilian complaint, substantiated)**. Mr. Bu█████ then left the 77th Precinct stationhouse.

The investigation requested the stationhouse footage from the 77th Precinct stationhouse from this incident but was provided with the incorrect footage. The investigation requested footage from 1:00 a.m. to 3:00 a.m. on July 10, 2019, but was provided with footage from 1:00 p.m. to 3:00 p.m. on July 10, 2019. The footage is located in IA # 12 (Board Review 01). On August 7, 2019, the investigation contacted IAB, informed them of the mistake, and requested an expedited return of the correct footage, but IAB failed to provide it before it expired.

<div align="center">**Findings and Recommendations**</div>

Allegation (A) Abuse of Authority – Police Officer Jonathan McDonald did not process Da███ Bu████████ complaint regarding officers.

On July 12, 2019, Da███ Bu█████ was interviewed at the CCRB. On November 7, 2019, Police Officer Ty██ Mc███████ was interviewed at the CCRB. On November 13, 2019, Police Officer Jonathan McDonald was interviewed at the CCRB.

Mr. Bu█████ stated that at approximately 2:00 a.m. on July 10, 2019, he went into the 77th Precinct stationhouse. Once there Mr. Bu█████ encountered Police Officer McDonald, who was working behind the front desk. Mr. Bu█████ explained that he was there to inquire about the officers involved in an incident the previous day, and Police Officer McDonald asked him for additional information about that incident. Once Mr. Bu█████ stated the time and location of that incident, Police Officer McDonald was able to state to Mr. Bu█████ the names and shield numbers of the officers Mr. Bu█████ was inquiring about.

Mr. Bu█████ then told Police Officer McDonald that he wanted to file a complaint against those officers. Police Officer McDonald replied that if Mr. Bu█████ wanted to make a complaint against officers it would have to be with the CCRB, and then Police Officer McDonald provided Mr. Bu█████ with a plastic card containing information about filing a complaint at the CCRB. Police Officer McDonald did not offer to take Mr. Bu█████ complaint at any point during this interaction. Mr. Bu█████ then left the 77th Precinct stationhouse.

Mr. Bu█████ sent the CCRB a picture of the plastic card Police Officer McDonald showed him

<div align="center">**CCRB Case # 201906325**</div>

during this incident (Board Review 02). The photo appears to provide information for making a complaint directly to the CCRB in both English and Spanish.

Police Officer Jonathan McDonald's Memo book (Board Review 03), provided during his November 13, 2019, interview at the CCRB, lists him as the telephone switchboard operator during Tour 1 on July 10, 2019. Police Officer McDonald is listed as working until 4:00 a.m., when he took his meal. Mr. Bu███████ described the subject officer as an approximately 6'1" tall, white male with black hair and a slim build. Police Officer McDonald is a 6'0" tall, white male with brown hair and an average build (Board Review 04).

During his interview with the CCRB, Police Officer McDonald stated that he had no recollection of this incident, but he confirmed that he was the telephone switchboard operator at the front desk of the 77th Precinct stationhouse at the time of this incident. When presented with the picture Mr. Bu███████ provided of the plastic card (Board Review 02), Police Officer McDonald stated that he recognized the card, and that it is shown to civilians who want to make a complaint against an officer of the NYPD.

Police Officer McDonald stated that the normal procedure for a civilian who comes to the 77th Precinct stationhouse seeking to make a complaint against an officer is to provide them with the card and make sure they are able to take a picture of it or otherwise copy the information on it. Next, Police Officer McDonald stated that he would have to provide the complainant with the shield numbers and identifying information of the officers the complainant wishes to make a complaint about. Police Officer McDonald stated that, after providing that information, there are no additional steps that an officer would have to take. When Police Officer McDonald was asked if there was any sort of form or paperwork that an officer was required to fill out when a civilian approached them seeking to file a complaint against officers, he stated, "Not to my knowledge."

Patrol Guide Procedure No. 207-31 (Board Review 05) details the appropriate actions to take when a civilian indicates that they wish to make a complaint against an NYPD officer in-person at a stationhouse. Officers are to interview the complainant regarding the substance of their complaint and are then required to provide the complainant with a copy of PD313-154, the Civilian Complaint Report, to be prepared in the complainant's handwriting. This procedure applies to all members of service regardless of rank.

The investigation determined by a preponderance of evidence that Police Officer McDonald was the officer at the front desk of the 77th Precinct stationhouse who spoke to Mr. Bu███████ Notably, Police Officer McDonald's description of providing the card listing the CCRB's contact information and then giving officers' identifying information to the complainant matches Mr. Bu███████ description of what occurred during this incident. Police Officer McDonald did not appear to understand the requirements of Patrol Guide Procedure 207-31, incorrectly stating that he was required to refer complainants to the CCRB instead of offering to take their complaints himself. It is therefore recommended that **Allegation A** be **substantiated**.

Civilian and Officer CCRB Histories

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- Police Officer Jonathan McDonald has been a member of service for one year and this is the first CCRB complaint to which he has been a subject.

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Mediation, Civil and Criminal Histories

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- ██
  ██████████████████████████████████
- On January 31, 2020, a FOIL request was sent to the Office of the New York City Comptroller requesting any notice of claim filed in relation to this incident. Upon receipt the response to this FOIL request will be added to the case file.

Squad No.:   2

Investigator: _____ _____ _____
                      Signature   Print Title & Name   Date

Squad Leader: _____ _____ _____
                      Signature   Print Title & Name   Date

Reviewer: _____ _____ _____
                      Signature   Print Title & Name   Date